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Attorneys for Respondents

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JUSTIN JAMES EDMISTEN,

Petitioner,

vs.

DWIGHT NEVEN, et al.,

Respondents.

Case No. 2:15-cv-00952-RFB-NJK

**UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME
TO FILE RESPONSE TO FIRST AMENDED
PETITION FOR WRIT OF HABEAS
CORPUS (ECF NO. 41)**

(SECOND REQUEST)

Respondents move this Court for an enlargement of time of 17 days from the current due date of December 18, 2018, up to and including January 4, 2019, in which to file their Response to the First Amended Petition for Writ of Habeas Corpus (ECF No. 41). This Motion is made pursuant to Fed. R. Civ. P. 6(b) and Rule 6-1 of the Local Rules of Practice and is based upon the attached declaration of counsel. This is the second enlargement of time sought by Respondents to file this Response, and the request is brought in good faith and not for the purpose of delay.

DATED: December 18, 2018.

Submitted by:

ADAM PAUL LAXALT
Attorney General

By: /s/ Jessica Perlick
Jessica Perlick (Bar. No. 13218)
Deputy Attorney General

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I, JESSICA PERLICK, being first duly sworn under oath, depose and state as follows:

1. I am an attorney licensed to practice law in all courts within the State of Nevada, and am employed as a Deputy Attorney General in the Office of the Nevada Attorney General. I am assigned to represent Respondents in *Justin James Edmisten v. Dwight Neven, et al.*, Case No. 2:15-cv-00952-RFB-NJK, and as such, have personal knowledge of the matters contained herein.
2. This Motion is made in good faith and not for the purpose of delay.
3. The Response to the First Amended Petition for Writ of Habeas Corpus (ECF No. 41) is currently due December 18, 2018.
4. I have been unable with due diligence to timely complete the response herein. A family emergency has taken me out of the office and away from my files. As such, I have been unable to finish the response, and request a short enlargement of time in which to do so.
5. I have spoken to Petitioner's counsel, and she does not oppose this request for enlargement of time.
6. Based on the foregoing, I respectfully request an enlargement of time of 17 days, up to and including January 4, 2019, to file the Response to Edmisten's First Amended Petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this Tuesday, December 18, 2018.

/s/ Jessica Perlick
 Jessica Perlick (Bar No. 13218)
 Deputy Attorney General

IT IS SO ORDERED:

RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

DATED this 20th day of December, 2018.

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I electronically filed the foregoing *Unopposed Motion for Enlargement of*
3 *Time to File Response to First Amended Petition for Writ of Habeas Corpus (ECF No. 41) (Second*
4 *Request)* with the Clerk of the Court by using the CM/ECF system on December 18, 2018.

5 The following participants in this case are registered CM/ECF users and will be served by the
6 CM/ECF system:

7 Megan C. Hoffman
8 Federal Public Defender
411 E. Bonneville Avenue, Suite 250
Las Vegas, Nevada 89101
9 Megan_Hoffman@fd.org

10 /s/ R. Carreau
An employee of the Office of the Attorney General